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2014 JAN -7 AM 11:30
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

Attorney for Plaintiff

7 UNITED STATES DISTRICT COURT

8 CENTRAL DISTRICT OF CALIFORNIA

9 COLLEEN GORDON,

10 Plaintiff,

11 v.

12 PACIFIC ACQUISITIONS &
13 ASSOCIATES, LLC and DOES 1 through
14 10 inclusive,

15 Defendants.

CASE NO.: EXCV14-00029-JGB
(DTB)

COMPLAINT FOR DAMAGES

17 Plaintiff, by and through her attorney, Amir J. Goldstein, Esq., as and for her complaint
18 against the Defendant PACIFIC ACQUISITIONS & ASSOCIATES, LLC alleges as follows:
19

20 INTRODUCTION

- 21 1. This is an action for damages brought by an individual for the Defendant's
22 violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*
23 ("FDCPA") and the Rosenthal Fair Debt Collection Practices Act, California
24 Civil Code § 1788, *et seq.* ("Rosenthal Act") which prohibits debt collectors
25 from engaging in abusive, deceptive and unfair practices.
26
27
28

PARTIES

2. Plaintiff is a natural person residing in San Jose, California.
3. Upon information and belief, the Defendant is a "debt collector" as defined pursuant to 15 U.S.C. § 1692a(6), incorporated under the laws of Delaware, with its principal place of business in Mira Loma, California.

JURISDICTION

4. This Court has jurisdiction pursuant to 15 U.S.C. § 1692k (FDCPA) and 28 U.S.C. § 1331. Venue is proper in this district pursuant to 28 U.S.C. § 1391(c), as the Defendant resides and regularly conduct business in this district.

FIRST CAUSE OF ACTION

5. Plaintiff realleges paragraphs 1 through 4 as if fully restated herein.
6. That a personal debt was allegedly incurred by the Plaintiff to one Plains Commerce Bank.
7. That at a time unknown to Plaintiff herein, the aforementioned debt was referred and/or assigned to Defendant for collection.
8. That on or about November 2013 through on or about December 2013, Defendant's agents called Plaintiff incessantly in an attempt to collect a debt.
9. That on or about November 12, 2013, Defendant's agent, one **"Miles Gordon"** called Plaintiff from **951.547.5480**, a number that, upon information and belief, belongs to Defendant.
10. That Defendant informed Plaintiff that the phone call was regarding "file #1706."
11. That Defendant's agent did not meaningfully identify himself as a representative of a debt collection agency, nor did he make the proper disclosures as required by law.

1 12. That Plaintiff, feeling anxious and confused, returned Defendant's phone call and
2 spoke to Defendant's agent.

3 13. That Defendant's agent "**Miles Gordon**" demanded an immediate payment from
4 Plaintiff via credit card.

5 14. That Plaintiff told Defendant that she needed time to verify the debt and
6 requested validation of the debt from Defendant.

7 15. That in response, Defendant informed Plaintiff that he could not provide her with
8 anything in writing, told her to contact the creditor and gave her a phone number
9 to call.

10 16. That Defendant's agent deceptively advised Plaintiff that there was no way for
11 her to get out of the debt and that the statute of limitations would not apply to her
12 account.

13 17. That Defendant threatened Plaintiff with court documents and warned her that
14 she would be served at her place of employment.

15 18. That Defendant, to further intimidate Plaintiff, informed Plaintiff that her credit
16 reports had been requested and pulled by Defendant.

17 19. That on or about November 13, 2013, Defendant called Plaintiff at her place of
18 employment as well as on her cell phone in an attempt to collect the alleged debt.

19 20. That Defendant left Plaintiff a voice message which stated in pertinent part:

20 "Colleen. This is Miles calling you from Pacific Acquisitions...I
21 need you to contact me ASAP... if I don't hear back from you,
22 my hands are tied. They're going to go ahead and move
forward..."

23 21. That Defendant's agent did not meaningfully identify himself as a representative
24 of a debt collection agency, nor did he make the proper disclosures as required
25 by law.

26 22. That Plaintiff returned Defendant's call and requested that any communications
27 be memorialized in writing, at which point Defendant agreed to e-mail Plaintiff.
28

- 1 23. That on or about November 14, 2013, Plaintiff contacted Defendant's agent to
2 inform him that she hadn't received anything from Defendant through e-mail.
- 3 24. That Defendant warned Plaintiff that the matter must be resolved by 12:00 noon
4 that day, otherwise, Plaintiff would be served with papers.
- 5 25. That just a few hours later, Defendant contacted Plaintiff again to advise her that
6 he was doing his best to "hold off the Legal Administrator" from serving her
7 with legal documents.
- 8 26. That approximately two hours later, another one of Defendant's agents, one
9 **"Tom Bolin"** (sp) contacted Plaintiff in an attempt to collect the aforementioned
10 debt.
- 11 27. That in an effort to scare, abuse and pressure Plaintiff into making a payment,
12 Defendant's agent became aggressive with her and demanded that Plaintiff take
13 care of the matter by the end of business day.
- 14 28. That approximately two and a half hours later, Defendant's agent, Mr. Gordon,
15 called Plaintiff again, urged her to handle the matter that day in order to avoid
16 legal action and left her the following voice message which stated in pertinent
17 part:
- 18 "Colleen. I don't know what happened with you and the legal
19 administrator here...if I don't hear back from you in the hour, go
20 ahead and check your email and he'll go ahead and get you out
21 the suit information....I don't know what happened, but you
22 know, he's ready to go ahead and basically show you that he
23 means business...He'll send you a copy of the suit and we'll go
24 from there."
- 25 29. That Defendant's agent did not meaningfully identify himself as a representative
26 of a debt collection agency, nor did he make the proper disclosures as required
27 by law.
- 28 30. That one hour later, Defendant's agent, Mr. Bolin, called Plaintiff, became
verbally violent with her and angrily accused her of wasting his time.
31. That Mr. Bolin deceptively denied having any communication with Mr. Gordon.

1 32. That Defendant's agent Mr. Bolin warned Plaintiff that she in fact would be
2 served.

3 33. That Defendant's agents engaged in a pattern of repeated phone calls to Plaintiff
4 throughout the day in an effort to abuse, scare and harass Plaintiff.

5 34. That on or about November 15, 2013, Defendant's agent, to coerce immediate
6 payment from her, advised Plaintiff that she would be served with legal
7 documents and to expect them by the following Monday.

8 35. That on or about November 18, 2013, (that following Monday) Defendant's
9 agent, Mr. Bolin, spoke with Plaintiff in an attempt to collect the aforementioned
10 debt.

11 36. That in said communication, Defendant's agent called Plaintiff a liar and angrily
12 accused her of wasting his time.

13 37. That Defendant's agent further reiterated that Plaintiff was involved in lawsuit
14 where she would be responsible for the legal fees and costs and that she could
15 avoid legal action if she resolved the matter by that same day.

16 38. That on or about November 18, 2013, Defendant contacted Plaintiff in an attempt
17 to collect a debt and left her a voice message which stated in pertinent part:

18 "... I've been in this business a long time and I can count on one
19 hand the number of times I've had somebody just blatantly be
20 dishonest with me and waste my time. I've had people just flat
21 out refuse to resolve issues with us, I've had people do a number
22 of things that would be considered inappropriate, but just out right
23 lying and having me sending emails and faxes and all this
24 different type of thing - one hand - and I've been in this business
25 nearly 35 years...

26 "...I'm going to be preparing the lawsuit this morning. I'm going
27 to be sending you the civil codes, one of which is CCP 1033
28 related to litigation and costs. The other is going to be... the CCP
statutes regarding what constitutes an agreement. You don't have
to sign anything.

"...we are going to enforce that agreement once I file the lawsuit
meaning that I've paid the fees to the superior court then you're

going to have to pay the entire amount of the settlement plus costs...

"...so look for those documents before noon..."

39. That Defendant's agent did not meaningfully identify himself as a representative of a debt collection agency, nor did he make the proper disclosures as required by law.

40. That on or about December 19, 2013, Defendant contacted Plaintiff in an attempt to collect a debt and left her a voice message which stated in pertinent part:

"... wanted to let you know that the lawsuit that we had discussed and that I had sent you a copy of is scheduled to be filed in the Santa Clara County Superior Court, downtown San Jose early next week...it will be going out for service once the court gives the process server the conformed copies...its going to be served at your business address..."

41. That Defendant's agent, to further confuse, intimidate, mislead and scare Plaintiff, warned her in pertinent part:

"...the attorney service or the process server may be in touch with you to determine whether or not you want to accept service personally when he gets there or ...as opposed to having him attempting to serve you personally, so that means looking for you and then ultimately sub-serving it with one of the employees or HR or whatever so that's something that you need to work out with them, but I have told, in this case as I do with every case for them to contact you and at least give you that option.

"...there really is no excuse here..."

"... Keep in mind that once the complaint is filed and you're served there is no settlement so that means you are going to pay the full amount on the lawsuit, plus our costs plus process server fee, so if you want to discuss this, now is the time to do it because I won't be discussing it with you after next week. My number here is 855-715-7568 ext 210."

42. That Defendant's agent did not meaningfully identify himself as a representative of a debt collection agency, nor did he make the proper disclosures as required by law.

1 43. That on or about December 13, 2013 through on or about December 20, 2013,
2 Plaintiff received several phone calls from a person who purported to be one
3 "Chris," Defendant's process server.

4 44. That "Chris" continuously called Plaintiff from a blocked phone number at her
5 place of employment and would refuse to leave a message or a call back number.

6 45. That upon information and belief, the alleged process server acted as
7 Defendant's agent and contacted Plaintiff multiple times in an attempt to abuse,
8 intimidate and pressure Plaintiff into making a payment.

9 46. That once Plaintiff was able to speak with "Chris" directly, he warned her that
10 papers would be filed and that he would be at her office.

11 47. That Chris, in an attempt to further pressure Plaintiff, continued to call Plaintiff
12 to set up a time when he could meet her and serve her.

13 48. That on or about December 23, 2013, Defendant called Plaintiff's phone multiple
14 times in the span of three minutes and left her a voice message which stated in
15 pertinent part:

16 "You sound so nice and courteous on that voicemail. I'm hoping
17 that you will allow the court to experience the real you at trial...

18 "...If anybody should be offended, its me with your behavior...

19 "...But here's the deal - we're going to have to send a
20 representative over perhaps I myself might attend the trial up
21 there in your neck of the woods. We are going to ask the Court to
22 award any expenses that we incur as a result of wasting our time
over this frivolous matter that you entered into...in addition to the
Court's wasted time...

23 "...so we'll look forward to seeing you and as I said I hope that
24 you behave in the manner that is most reflective of your real
25 behavior pattern or your real personality as opposed to the nice
26 greeting on your voicemail and the way that you attempted to get
me to do the things you wanted me to do earlier on. Good luck to
you."

1 49. That Defendant's agent did not meaningfully identify himself as a representative
2 of a debt collection agency, nor did he make the proper disclosures as required
3 by law.

4 50. That as a result of Defendant's conduct, Plaintiff suffered actual damages,
5 including, but not limited to: stress, anxiety, extreme humiliation and sleepless
6 nights.

7 51. That Defendant's communications caused Plaintiff to feel physically ill, so much
8 so that she had to pull herself away from her work.

9 52. That Defendant, in an attempt to collect a debt, engages in a pattern or practice of
10 communicating with consumers where the representations made by the
11 Defendant are confusing, misleading, deceptive and/or unfair.

12 53. That Defendant's conduct violates 15 U.S.C. 1692 et seq., including but not
13 limited to subsections (d), (e) and (g) in that the representations made by the
14 Defendant are false, confusing, misleading, deceptive, harassing, unfair and fail
15 to advise the consumer of her legal rights as required by law.

16 i. Defendant has violated § 1692d(5) by causing Plaintiff's phone to ring
17 repeatedly and continuously with intent to annoy, abuse or harass
18 Plaintiff at the called number(s);

19 ii. Defendant has violated §1692d(6) by placing telephone calls without
20 meaningful disclosure of the caller's identity;

21 iii. Defendant has violated §1692e by employing deceptive means in an
22 attempt to collect a debt;

23 iv. Defendant has violated §1692e(2) by falsely representing the character,
24 amount, or legal status of the alleged debt;

25 v. Defendant has violated §1692e(11) by failing to disclose in subsequent
26 communications that the communication is from a debt collector; and

27 vi. Defendant has violated §1692g by using overshadowing language to
28 confuse the least sophisticated consumer as to her legal rights.

1 54. That as per 15 U.S.C. § 1692 et seq. and as a result of the above violations, the
2 Defendant is liable to the Plaintiff for actual damages and statutory damages in
3 an amount to be determined at the time of trial but not less than \$1,000.00 per
4 violation, plus costs and attorney's fees.

5
6 **AS AND FOR A SECOND CAUSE OF ACTION ON BEHALF OF PLAINTIFF**

7 55. Plaintiff realleges paragraphs 1 through 54 as if fully restated herein.

8 56. The Rosenthal Fair Debt Collection Practices Act (Rosenthal Act), California
9 Civil Code § 1788, et seq., prohibits unfair and deceptive acts and practices in
10 the collection of consumer debts.

11 57. By its acts and practices as hereinabove described, the Defendant has violated
12 the Rosenthal Act as follows, without limitation:

- 13 i. By causing a telephone to ring repeatedly or continuously to annoy,
14 Defendant has violated §1788.11(d);
- 15 ii. By communicating with such frequency as to be unreasonable and to
16 constitute harassment, Defendant has violated §1788.11(e);
- 17 iii. By failing to provide accurate disclosures as required by law; and
- 18 iv. By the above-referenced violations of the FDCPA, Defendant has
19 violated §1788.17.

20 58. Pursuant to § 1788.30 of the Rosenthal Act, Plaintiff is entitled to recover her
21 actual damages sustained as a result of the Defendant's violations of the
22 Rosenthal Act. Such damages include, without limitation, statutory damages,
23 any actual damages sustained, other resulting monetary losses and damages, and
24 emotional distress suffered by Plaintiff, which damages are in an amount to be
25 proven at trial.

26 59. In addition, because the Defendant's violations of the Rosenthal Act were
27 committed willingly and knowingly, Plaintiff is entitled to recover, in addition to
28

1 her actual damages, penalties of at least \$1,000 per violation as provided for in
2 the Act.

3 60. Pursuant to § 1788.30(c) Rosenthal Act, Plaintiff is entitled to recover all
4 attorneys' fees, costs and expenses incurred in the bringing of this action.

5
6 **WHEREFORE**, Plaintiff respectfully prays that judgment be entered against Defendant in the
7 amount of:

8 (a) Statutory damages and actual damages pursuant to 15 U.S.C. § 1692k in an
9 amount to be determined at the time of trial on the first cause of action.

10 (b) Statutory damages and actual damages pursuant to Civil Code §1788.30 *et seq.*,
11 as to the second cause of action.

12 (c) Costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k and Civil
13 Code §1788.30, *et seq.*

14 (d) For such other and further relief as may be just and proper.

15 (e) Plaintiff requests trial by jury on all issues so triable.

16
17 Dated: January 6, 2014

AMIR J. GOLDSTEIN, ESQ.

18
19
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21 Amir J. Goldstein
22 Attorney for Plaintiff
23 5455 Wilshire Boulevard, Suite 1812
24 Los Angeles, CA 90036
25 Tel 323.937.0400
26 Fax 866.288.9194
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Jesus G. Bernal and the assigned
Magistrate Judge is David T. Bristow.

The case number on all documents filed with the Court should read as follows:

EDCV14-00029-JGB (DTBx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

January 7, 2014

Date

By MDAVIS
Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012

☐ Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701

☒ Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) COLLEEN GORDON,	DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>) PACIFIC ACQUISITIONS & ASSOCIATES, LLC
(b) County of Residence of First Listed Plaintiff <u>Santa Clara</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>	County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i>
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. Amir J. Goldstein, Esq. The Law Offices of Amir J. Goldstein 5455 Wilshire Blvd. Suite 1812, Los Angeles, CA 90036 Tel: 323.937.0400	Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 2. U.S. Government Defendant <input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES -For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

<input checked="" type="checkbox"/> 1. Original Proceeding	<input type="checkbox"/> 2. Removed from State Court	<input type="checkbox"/> 3. Remanded from Appellate Court	<input type="checkbox"/> 4. Reinstated or Reopened	<input type="checkbox"/> 5. Transferred from Another District (Specify) _____	<input type="checkbox"/> 6. Multi-District Litigation
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V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 15 U.S.C. 1692 et seq; violations of the Fair Debt Collection Practices Act ("FDCPA")

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat. TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	FORFEITURE/PENALTY	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

EDCV14-00029

CV-71 (11/13)

CIVIL COVER SHEET

Page 1 of 3

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:	
	A PLAINTIFF?	A DEFENDANT?		
	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.		
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino		Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western		

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C.2 to the right. →	C.2. Is either of the following true? If so, check the one that applies: <input checked="" type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	EASTERN DIVISION

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):** _____

DATE: _____

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))